

Exhibit A

MOUNT & STOELKER, P.C.

ATTORNEYS

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October 22, 2007

Via Hand Delivery

Magistrate Judge Lloyd
Courtroom 2, 5th Floor
U.S. District Court
Northern District of California
280 S. First Street
San Jose CA 95113

**Re: *Verigy v. Mayder*, Case No. 5:07-cv-04330 (RMW) (HRL)
Our File No. SITES001**

Dear Magistrate Judge Lloyd:

We are sending this chambers copy of the defendants' letter brief to you for hand delivery before e-filing it.

The ECF web site has been down each time we have tried to e-file this document today. We will e-file this document as soon as the ECF web site allows it, and we will follow the guidelines of General Order 45 at IV.E. ("Technical Failures").

To avoid any prejudice to Verigy, we sending a copy of this letter to Verigy's counsel via electronic mail (as well as a copy of the defendants' letter brief and its attachments) at the same time we are sending this to the court.

Sincerely,



Dan Fingerman

Enclosure

cc: Mindy A. Morton, via electronic mail (including a copy of letter brief and attachments)

Exhibit B

Daniel H. Fingerman

From: Daniel H. Fingerman
Sent: Monday, October 22, 2007 12:50 PM
To: 'Mindy Morton'; 'John Fowler'
Cc: Daniel S. Mount; Kevin M. Pasquinelli; Michelle McManus
Subject: Defendants' letter brief

Categories: sites001



Letter Brief to JHF-Lloyd 10-22-07
Judge Lloyd 10... re ECF web ...

Mindy and John,

We have been unable to reach the ECF web site today to file the defendants' letter brief. We have been unable to reach any web site that is a subdomain of uscourts.gov – including any portion of the N.D.Cal. web site.

To avoid any prejudice to Verigy, I am attaching a copy of the defendants' letter brief to this email. Also, we sent a chambers copy of the defendants' letter brief to Magistrate Judge Lloyd with the attached cover letter, explaining that the ECF web site is down.

We would appreciate the reciprocal courtesy of receiving from you a copy of Verigy's filing via electronic mail.

I did receive an email from the ECF system at 11:58am, indicating that you were able to file Verigy's letter brief. I tried to e-file the defendant's letter brief immediately after receiving that email; but, again, I got no response from the ECF web server. We have also been unable to obtain a copy of Verigy's filing via the ECF or PACER systems. We appreciate your anticipated courtesy in this matter.

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